



2025 South Dakota Legislature

House Bill 1093

SENATE ENGROSSED

Introduced by: **Representative Aylward**

1 **An Act to modify the permissible dates for a school district bond election.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That § 13-16-6.4 be AMENDED:**

4 **13-16-6.4.** Approval to enter into an agreement or issue capital outlay certificates
 5 ~~to which § 13-16-6.3 applies pursuant to § 13-16-6.3~~ is subject to a referendum if five
 6 percent of the registered voters, based upon the total number of registered voters at the
 7 last preceding general election, petition, within twenty days thereafter, to have the
 8 question of approval ~~or disapproval of~~ to enter into the agreement or issue of capital outlay
 9 certificates ~~or the lease-purchase agreement~~ placed upon the ballot at ~~the next regular~~
 10 ~~election or at a special election called for that purpose and held on:~~

11 (1) The first Tuesday after the first Monday in March;

12 (2) The first Tuesday after the first Monday in June; or

13 (3) The first Tuesday after the first Monday in November.

14 If the bond election is held on a date listed in subdivision (2) or (3) in an even-
 15 numbered year, the election must be held in conjunction with the regular primary or
 16 general election, respectively. When the election is held in conjunction with the primary
 17 or general election, the expenses and governmental responsibilities of a combined election
 18 must be shared in a manner agreed upon by the board of the school district and the boards
 19 of county commissioners involved.

20 ~~The business manager shall give notice of the fact that the question will~~ is to be on
 21 ~~the ballot at a~~ the regular or special election as provided by law for school elections and
 22 ~~prepare official ballots therefor according to the provisions of this title relating to elections~~
 23 ~~and the issue shall be decided by sixty percent of those voting thereon.~~ Approval of the
 24 question to enter into an agreement or issue capital outlay certificates requires an
 25 affirmative vote of at least sixty percent of those voting on the question.

- 1 If the question submitted to the voters at an election is not approved by the voters,
- 2 the school board may, by resolution, place the question on the ballot at the next available
- 3 election provided by this section.